

SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/653,408

REMARKS

Claims 1-7 are all the claims pending in the application. Claims 1, 3 and 5-7 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Carter, Jr. et al. (U.S. Patent No. 4,366,387) (hereinafter “Carter”). Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter in view of Hirose (U.S. Patent No. 5,977,667). Claim 2 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter in view of Benoit (U.S. Patent No. 4,350,898).

Initially, Applicant thanks the Examiner for the courtesies extended during the personal interview of October 23, 2001. During the interview, an agreement was not reached with respect to the rejections of the claims. However, the Examiner stated that if independent claim 1 were amended to clarify the broad limitation “wherein the rigid fairing of the pod is *formed* by the body of the generator . . . ,” the claimed invention would distinguish over the Carter reference. Therefore, Applicant has amended claim 1 to recite “wherein the rigid fairing of the pod *constitutes* the body of the generator”

Applicant submits that Carter fails to teach or suggest that “the rigid fairing of the pod constitutes the body of the generator,” as now recited in independent claim 1. As discussed in the Amendment filed October 15, 2001, the head assembly 18 of Carter contains a pod 32, which is a streamlined housing formed of fiberglass. *See* column 4, lines 30-34. The generator 34 contains a body or housing formed of magnetic steel sheets. *See, e.g.*, Figure 2. The generator 34 is supported on a yaw-bearing structure 100 and is located inside the pod 32. *See* column 5, lines 29-30 and Figure 6. Since the generator 34 is “located in” the pod 32, rather than on the pod 32, the housing of the generator 34 does not constitute a rigid fairing (of the pod 32). *See*

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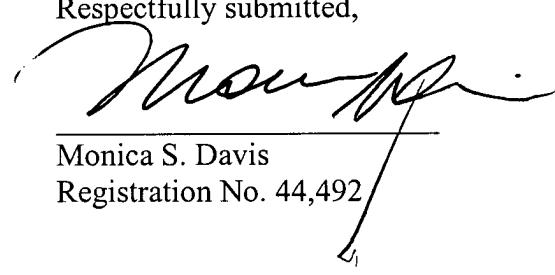
column 4, lines 34-36. Further, since the pod 32 is formed of fiberglass and not magnetic steel }
sheets, the body of the generator 34 cannot constitute a "rigid fairing." }

Since Carter does not teach each and every limitation of claim 1, Carter cannot anticipate this claim. Thus, the 35 U.S.C. § 102(b) rejection of claim 1 should be withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to **call the undersigned** at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 1 is amended as follows:

1. (Twice Amended) A wind-power generator pod comprising a rigid fairing in which at least one electricity generator is disposed for coupling to at least one wind-driven propeller, wherein the rigid fairing of the pod ~~is formed by~~constitutes the body of the generator in which a stator and a rotor are mounted.